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# AC

## FW – AT K

I am unable to self-referentially understand myself absent an understanding of my relations to others. Norms and characteristics I use to define myself don’t solely belong to me – thus, the account of myself is never *truly* mine. **Butler**:[[1]](#footnote-1)

The norms by which I seek to make myself recognizable are not precisely mine. They are not born with me; the temporality of their emergence does not coincide with the temporality of my own life. So in living my life as a recognizable being, I live a vector of temporalities, one of which has my death as its terminus, but another of which con- sists of the social temporality of norms by which my recognizability is established. These norms are, as it were, indifferent to me, my life, and my death. This latter tempo- rality interrupts the time of my living, but it is, paradoxically, this interruption, this disorientation of the perspective of my life, this instance of an indifference in sociality, that sustains my living. In a sense, my account of myself is never fully mine, and is never fully for me, and Iwouldliketosuggestthatthis"interruption" oftheaccountalwaystakesplacethrough a loss of the sense of its being mine in any exclusive way. This interruption and dispos- session of my perspective as mine can take place in different ways. There is the opera- tion of a norm, invariably social, that conditions what will and will not be a recogniz- able account. And there can be no account of myself that does not, to some extent, conform to norms that govern the humanly recognizable, or that negotiate these terms in some ways, with various risks following from that negotiation. But, as I will try to explain later, it is also the case that I give an account to someone, and that the addressee of the account, real or imaginary, also functions to interrupt[s] the sense of this account of myself as mine. If it is an account of myself, and it is an accounting to someone, then I am compelled to give the account away, to send it off, to be dispossessed of it at the very moment that I establish it as my account. No account takes place outside the structure of address, even if the addressee remains implicit and unnamed, anonymous and unspeci- fied. If I try to give an account of myself, if I try to make myself recognizable and understandable, then I might begin with a narrative account of my life, but this narrative will be disoriented by what is not mine, or what is not mine alone. And I will, to some degree, have to make myself substitutable in order to make myself recognizable. The narrative authority of the "I" must give way to the perspective and temporality of a set of norms that contest the singularity of my story. We can surely still tell our stories-and there will be many reasons to do precisely that-but we will not be able to be very authoritative when we try to give an account with a narrative structure. The "I" cannot tell the story of its own emergence, and the conditions of its own possibility, without in some sense bearing witness to a state of affairs to which one could not have been present, prior to one's own becoming, and so narrating that which one cannot know. Fictional narration requires no referent to work as narrative, and we might say that the irrecoverability of the referent, its foreclosure to us, is the very condition of possibility for an account of myself, if that account is to take narrative form. It does not destroy narrative but produces it precisely in a fictional di- rection. So to be more precise, I would have to say that I can tell the story of my origin and even tell it again and again, in several ways; but the story of my origin I tell is not one for which I am accountable, and it cannot establish my accountability. At least, let's hope not, since, over wine usually, I tell it in various ways, and the accounts are not always consistent with one another. Indeed, it may be that to have an origin means precisely to have several possible versions of the origin-I take it that this is part of what Nietzsche meant by the operation of genealogy. Any one of those are possible narratives, but of no single one can I say with certainty that it is true.

Next, we must always be aware that there is a radical possibility of failure and conflict inherent in the heart of identity and responsibility. Denying this denies the basis of morality itself. **Hagglund**:[[2]](#footnote-2)

The utopian dream of peace pervades Cornell's book and is symptomatic of her misconception of the deconstructive thinking of alterity. As I have argued, the notion of a nonviolent relation to the other is based on a suppression of alterity, since it must presuppose that the other is not violent in its turn and consequently denies the radical unpredictability of the other. Only if one assumes that the other is primarily peaceful does it make sense to prescribe a nonviolent relation, since the command to "respect" the alterity of the other does not make any sense if the other wants to destroy me. More? over, the dream of a community without violence is the [a] dream of a community in which there would be nothing other than peace, exclud[es]ing anyone or anything that does not want to engage in the "ethical" relation. Hence, the supposedly ethical dream is unethical on its own terms, since it dreams of eliminat[es]ing the susceptibility to radical alterity, which cannot be dissociated from the susceptibility to violence and the concomitant attempts to combat it. It is only by coming to terms with the deconstructive "logic" of violence that one can assess the ethico-political significance of deconstruction**.** The deconstructive logic of violence does not prevent one from criticizing social injustices or any other forms of violence, but it exposes the internal contradictions of the doctrines that hold it to be desirable to eliminate exclusion once and for all.

Two impacts: A. Mindset shift alternatives are insufficient to solve since they’re totalizing solutions to a problem that forecloses all other conversation B. Rejecting my framework is a performative contradiction. **Rustin**:[[3]](#footnote-3)

Habermas's principle defense of discourse ethics' universal applicability is the fact that **discourse is ultimately unavoidable** - that there is what Karl-Otto Apel refers to as "performative contradiction. that is universally applicable.61 **The attempt to repudiate discourse ethics** thus **makes use of the very method** that Habermas proposes, **and denial to the contrary involves** the critic in **a performative contradiction**

The solution to this conflict is agonism, wherein we recognize the inevitably of this conflict and ensure avenues for discussion to allow people to speak their own truth. **Mouffe**:[[4]](#footnote-4)

Thanks to the insights of post-structuralism the project of radical and plural democracy is able to acknowledge[s] that difference is the condition of the possibility of constituting unity and totality at the same time that it provides their essential limits. In such a view, plurality cannot be: eliminated; it becomes irreducible. **We have** therefore **to abandon** **the** very **idea of a complete reabsorption of alterity** **into** **oneness** and harmony. It is an alterity that cannot be: domesticated, but as Rodolphe Gasch~ indicates: 'forever undermines, but also makes possible, the dream of autonomy achieved through a reflexive coiling upon self, since it names the precondition of such a desired state, a precondition that represents the limit of such a possibility'. Contrary to other projects of radical or participatory democracy informed by a rationalistic framework, radical and plural democracy rejects the very possibility of a non-exclusive public sphere of rational argument where a non-coercive consensus could be attained. By showing that such a consensus is a conceptual impossibility, it does not put in jeopardy the democratic ideal, as some would argue. On the contrary, **it protects pluralist democracy against any attempts at closure**.

She continues:[[5]](#footnote-5)

I submit that this is a crucial insight which undermines the very objective that those who advocate the 'ddiberative' approach present as the aim of democracy: the establishment of a rational consensus on universal principles. They believe that **through rational** deliberation an impartial standpoint could be reached where decisions would be taken that are equally in the interests of alt.l :! Wittgenstein, on the contrary. suggests another view. If we follow his lead. **we** should **acknowledge** and valorize **the diversity of** ways in which the **'democratic** **game'** can be played, instead of trying to reduce this diversity to a uniform model of citizenship. **This would mean fostering** a **plurality** of forms of being a democratic citizen **and** **creating** the **institutions that would make it possible to follow** the **democratic rules** in a plurality of ways. What Wittgenstein teaches us is that there cannot be one single best, more 'rational' way to obey those rules and that it is precisely such a recognition that is constitutive of a pluralist democracy. 'Following a rule', says Wittgenstein, 'is analogous to obeying an order. We are trained to do so we react to an order in a particular way. But what if one person reacts in one way and another in another to the order and the training? Which one is right?'23 This is indeed a crucial question for democratic theory. And it cannot be resolved, pace the rationalists, by claiming that there is a correct understanding of the rule that every rational person should accept. To be sure, we need to be able to distinguish between 'obeying the rule' and 'going against it'. But **space needs to be provided for** the many **different practices in which obedience to the democratic rules can be inscribed**.

Implies that other frameworks and role of the ballots devolve into mine since the objections to other frameworks always have at least an infinitesimal probability of being true, proving that winning one framework doesn’t prove its absolute truth. That means that all frameworks concede this pluralism of opinions and thus my standard, which entails embracing the validity of a plurality of truths.

Therefore, the standard is **ensuring avenues for agonistic pluralism**. My standard entails determining when these avenues have been inhibited and then taking an action that would rectify such injustices. Therefore, the standard isn’t aggregative – increasing these avenues isn’t the end goal of the framework, certain injustices are inevitable. **Mouffe 2**:[[6]](#footnote-6)

To avoid any confusion, I should specify that, contrary to some postmodern thinkers who envisage a pluralism without any frontiers, I do not believe that a democratic pluralist politics should [not] consider as legitimate all the demands [legitimate[ formulated in a given Society. The pluralism that I advocate requires discriminating between demands, which are to be accepted as part of the agonistic debate and those, which are to be excluded. A democratic Society cannot treat those who put its basic institutions into question as legitimate adversaries. The agonistic approach does not pretend to encompass all differences and to overcome all forms of exclusions. But exclusions are envisaged in political and not in moral terms. Some demands are excluded, not because they are declared to be’ 'evil', but because they challenge the institutions constitutive of the democratic political association.

Prefer the standard:

1. Actor specificity – my framework is most applicable to public colleges and universities. **Jenks**:[[7]](#footnote-7)

A university, however, has no doctrine to teach. The special purpose of the university is to investigate what is true in any special ﬁeld; not to teach the truth as the professor sees it, certainly not as the Board of Trustees sees it. but rather open-mindedly to in- vestigate what the truth is. It is a special gift of a great teacher to open the mind of the pupil, to give to him independence of spirit and sound judgment. When the boy becomes a man and goes out into life, he must see a great variety of problems as they come to him. He has only the principles on which he can work out those problems. An engineer has, for example, a new problem with each new bridge that he builds. “A teacher[s] can give this spirit of independent judgment only by having it [themselves] himself, only by being able to see all sides of the truth and to give each side a fair hearing. This becomes a matter of personal habit and of personal temperament. Bishop Spalding once said very wisely, ‘The only true teaching is that which comes from the touch of soul with soul.’ No narrow-minded partisan can ever become a great teacher. It is, of course, one’s duty always to serve society, but one can serve society best by the inculcation of a tolerant spirit. "The president and the professors are supposed to represent the university. but they represent the university as an institution that seeks the truth. not as an institution that speaks any one view as representing the truth. The teacher may, if the students wish. after they have learned to think, tell what his own personal views are ; but the real function of the university is to build a love for the truth and to teach the students to seek the truth independently and fearlessly.

Indicates my framework is mandated by the topic, as a supposition of the resolution is a collective action by public colleges and universities because individuals can’t alter their colleges’ policy.

2. Agonistic pluralism prevents individuals from being alienated since it recognizes all perspectives as being legitimate. **Mouffe 3**:[[8]](#footnote-8)

Envisaged from the point of view of “**agonistic pluralism**”, the aim of democratic politics is to **construct[s] the “them” in** such **a way that it is no longer** perceived as **an enemy** to be destroyed, but an “adversary”, i.e. somebody whose ideas we combat but whose right to defend those ideas we do not put into question. This is the real meaning of liberal democratic tolerance, **which does not** **entail condoning ideas** that we oppose or being indifferent to standpoints that we disagree with, **but treating those who defend them as legitimate** opponents. This category of the “adversary” does not eliminate antagonism, though, and it should be distinguished from the liberal notion of the competitor with which it is sometimes identified. **An adversary is** an enemy, but **a legitimate enemy**, one **with** **whom we have** some **common ground** because **we have a shared adhesion to** the **ethico-political principles** of liberal democracy: liberty and equality. But we disagree on the meaning and implementation of those principles and such a disagreement is not one that could not be resolved through deliberation and rational discussion. Indeed, given the ineradicable pluralism of value, there is not rational resolution of the conflict, hence its antagonistic dimension. This does not mean of course that adversaries can never cease to disagree but that does not prove that antagonism has been eradicated. **To accept the view of the adversary is to undergo a radical change in political identity**. It is more a sort of conversion than a process of rational persuasion (in the same way as Thomas Kuhn has argued that adherence to a new scientific paradigm is a conversion). **Compromises are**, of course, also **possible**; they are part and parcel of politics; but **they should be seen as temporary respites in an ongoing confrontation.**

A. The AC method takes out and precludes critiques of the aff since my framework says that a prereq to solving any oppression at all is to understand and listen to the oppressors’ views, without just disregarding them B. Alienation is a unique harm that must be solved first since it dictates whether people can even act on their own volition to pursue free actions. Otherwise, there will always be infinite oppression, never allowing people to act, which means the aff comes first.

## FW – AT FW

I am unable to self-referentially understand myself absent an understanding of my relations to others. Norms and characteristics I use to define myself don’t solely belong to me – thus, the account of myself is never *truly* mine. **Butler**:[[9]](#footnote-9)

The norms by which I seek to make myself recognizable are not precisely mine. They are not born with me; the temporality of their emergence does not coincide with the temporality of my own life. So in living my life as a recognizable being, I live a vector of temporalities, one of which has my death as its terminus, but another of which con- sists of the social temporality of norms by which my recognizability is established. These norms are, as it were, indifferent to me, my life, and my death. This latter tempo- rality interrupts the time of my living, but it is, paradoxically, this interruption, this disorientation of the perspective of my life, this instance of an indifference in sociality, that sustains my living. In a sense, my account of myself is never fully mine, and is never fully for me, and Iwouldliketosuggestthatthis"interruption" oftheaccountalwaystakesplacethrough a loss of the sense of its being mine in any exclusive way. This interruption and dispos- session of my perspective as mine can take place in different ways. There is the opera- tion of a norm, invariably social, that conditions what will and will not be a recogniz- able account. And there can be no account of myself that does not, to some extent, conform to norms that govern the humanly recognizable, or that negotiate these terms in some ways, with various risks following from that negotiation. But, as I will try to explain later, it is also the case that I give an account to someone, and that the addressee of the account, real or imaginary, also functions to interrupt[s] the sense of this account of myself as mine. If it is an account of myself, and it is an accounting to someone, then I am compelled to give the account away, to send it off, to be dispossessed of it at the very moment that I establish it as my account. No account takes place outside the structure of address, even if the addressee remains implicit and unnamed, anonymous and unspeci- fied. If I try to give an account of myself, if I try to make myself recognizable and understandable, then I might begin with a narrative account of my life, but this narrative will be disoriented by what is not mine, or what is not mine alone. And I will, to some degree, have to make myself substitutable in order to make myself recognizable. The narrative authority of the "I" must give way to the perspective and temporality of a set of norms that contest the singularity of my story. We can surely still tell our stories-and there will be many reasons to do precisely that-but we will not be able to be very authoritative when we try to give an account with a narrative structure. The "I" cannot tell the story of its own emergence, and the conditions of its own possibility, without in some sense bearing witness to a state of affairs to which one could not have been present, prior to one's own becoming, and so narrating that which one cannot know. Fictional narration requires no referent to work as narrative, and we might say that the irrecoverability of the referent, its foreclosure to us, is the very condition of possibility for an account of myself, if that account is to take narrative form. It does not destroy narrative but produces it precisely in a fictional di- rection. So to be more precise, I would have to say that I can tell the story of my origin and even tell it again and again, in several ways; but the story of my origin I tell is not one for which I am accountable, and it cannot establish my accountability. At least, let's hope not, since, over wine usually, I tell it in various ways, and the accounts are not always consistent with one another. Indeed, it may be that to have an origin means precisely to have several possible versions of the origin-I take it that this is part of what Nietzsche meant by the operation of genealogy. Any one of those are possible narratives, but of no single one can I say with certainty that it is true.

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Therefore, the standard is **ensuring avenues for agonistic pluralism**. My standard entails determining when these avenues have been inhibited and then taking an action that would rectify such injustices. Therefore, the standard isn’t aggregative – increasing these avenues isn’t the end goal of the framework, certain injustices are inevitable. **Mouffe 2**:[[14]](#footnote-14)

To avoid any confusion, I should specify that, contrary to some postmodern thinkers who envisage a pluralism without any frontiers, I do not believe that a democratic pluralist politics should [not] consider as legitimate all the demands [legitimate[ formulated in a given Society. The pluralism that I advocate requires discriminating between demands, which are to be accepted as part of the agonistic debate and those, which are to be excluded. A democratic Society cannot treat those who put its basic institutions into question as legitimate adversaries. The agonistic approach does not pretend to encompass all differences and to overcome all forms of exclusions. But exclusions are envisaged in political and not in moral terms. Some demands are excluded, not because they are declared to be’ 'evil', but because they challenge the institutions constitutive of the democratic political association.

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A university, however, has no doctrine to teach. The special purpose of the university is to investigate what is true in any special ﬁeld; not to teach the truth as the professor sees it, certainly not as the Board of Trustees sees it. but rather open-mindedly to in- vestigate what the truth is. It is a special gift of a great teacher to open the mind of the pupil, to give to him independence of spirit and sound judgment. When the boy becomes a man and goes out into life, he must see a great variety of problems as they come to him. He has only the principles on which he can work out those problems. An engineer has, for example, a new problem with each new bridge that he builds. “A teacher[s] can give this spirit of independent judgment only by having it [themselves] himself, only by being able to see all sides of the truth and to give each side a fair hearing. This becomes a matter of personal habit and of personal temperament. Bishop Spalding once said very wisely, ‘The only true teaching is that which comes from the touch of soul with soul.’ No narrow-minded partisan can ever become a great teacher. It is, of course, one’s duty always to serve society, but one can serve society best by the inculcation of a tolerant spirit. "The president and the professors are supposed to represent the university. but they represent the university as an institution that seeks the truth. not as an institution that speaks any one view as representing the truth. The teacher may, if the students wish. after they have learned to think, tell what his own personal views are ; but the real function of the university is to build a love for the truth and to teach the students to seek the truth independently and fearlessly.

Indicates my framework is mandated by the topic, as a supposition of the resolution is a collective action by public colleges and universities because individuals can’t alter their colleges’ policy.

2. Agonistic pluralism prevents individuals from being alienated since it recognizes all perspectives as being legitimate. **Mouffe 3**:[[16]](#footnote-16)

Envisaged from the point of view of “**agonistic pluralism**”, the aim of democratic politics is to **construct[s] the “them” in** such **a way that it is no longer** perceived as **an enemy** to be destroyed, but an “adversary”, i.e. somebody whose ideas we combat but whose right to defend those ideas we do not put into question. This is the real meaning of liberal democratic tolerance, **which does not** **entail condoning ideas** that we oppose or being indifferent to standpoints that we disagree with, **but treating those who defend them as legitimate** opponents. This category of the “adversary” does not eliminate antagonism, though, and it should be distinguished from the liberal notion of the competitor with which it is sometimes identified. **An adversary is** an enemy, but **a legitimate enemy**, one **with** **whom we have** some **common ground** because **we have a shared adhesion to** the **ethico-political principles** of liberal democracy: liberty and equality. But we disagree on the meaning and implementation of those principles and such a disagreement is not one that could not be resolved through deliberation and rational discussion. Indeed, given the ineradicable pluralism of value, there is not rational resolution of the conflict, hence its antagonistic dimension. This does not mean of course that adversaries can never cease to disagree but that does not prove that antagonism has been eradicated. **To accept the view of the adversary is to undergo a radical change in political identity**. It is more a sort of conversion than a process of rational persuasion (in the same way as Thomas Kuhn has argued that adherence to a new scientific paradigm is a conversion). **Compromises are**, of course, also **possible**; they are part and parcel of politics; but **they should be seen as temporary respites in an ongoing confrontation.**

A. The AC method takes out and precludes critiques of the aff since my framework says that a prereq to solving any oppression at all is to understand and listen to the oppressors’ views, without just disregarding them B. Alienation is a unique harm that must be solved first since it dictates whether people can even act on their own volition to pursue free actions. Implies that my framework comes before other frameworks since the only way to ethically include people is to accept their differing views.

## Contention

Affirm:

1. Restricting speech suppresses topics of discussion and excludes disfavored viewpoints. **Majeed ‘07**:[[17]](#footnote-17)

Second, speech codes suppress the discussion of disfavored topics and expression of disfavored viewpoints. As previously discussed, many speech codes discriminate against expression on the basis of content or viewpoint. When universities maintain and enforce such policies, they effectively drive certain beliefs and ideas out of campus discussion. The practice of censoring and punishing speech on a selective basis leads to “intellectual pacifism,” whereby those with disfavored views are chilled from speaking out for fear of prosecution and punishment. This result[ing]s in a one-sided debate on particular issues and thus an incomplete marketplace of ideas. One commentator has labeled this phenomenon the “standardization of opinions and ideas” and, more directly, a form of thought control. Important contributions to the development and debate of ideas are essentially curtailed in the very environment where they should originate, meaning that society is ultimately deprived of many potential solutions and innovations for the future.[[141]](https://www.thefire.org/defying-the-constitution-the-rise-persistence-and-prevalence-of-campus-speech-codes/" \l "_ftn142" \o "_ftnref142) After all, “[t]he pursuit of truth requires not only an unfettered freedom of ideas, but also honesty, fidelity to reason, and respect for method and procedures.”[[142]](https://www.thefire.org/defying-the-constitution-the-rise-persistence-and-prevalence-of-campus-speech-codes/" \l "_ftn143" \o "_ftnref143) Truth is discovered and knowledge is advanced through “a multitude of tongues,” not through any kind of “authoritative selection.”[[143]](https://www.thefire.org/defying-the-constitution-the-rise-persistence-and-prevalence-of-campus-speech-codes/" \l "_ftn144" \o "_ftnref144) These ideals, unfortunately, are undermined by the presence of speech codes on campus. Furthermore, when campus debate is restricted to only that which is comfortable and orthodox, those who hold those prevailing views are themselves harmed. This is due to the fact that unchallenged viewpoints tend to be poorly thought-out and weakly constructed, and therefore easily discredited.[[144]](https://www.thefire.org/defying-the-constitution-the-rise-persistence-and-prevalence-of-campus-speech-codes/" \l "_ftn145" \o "_ftnref145) Conversely, when an idea is challenged and debated thoroughly, the speaker is forced to answer those challenges and in the process strengthens and improves the idea.[[145]](https://www.thefire.org/defying-the-constitution-the-rise-persistence-and-prevalence-of-campus-speech-codes/" \l "_ftn146" \o "_ftnref146) Moreover, “[i]t is through challenging and considering disfavored ideas that a person may develop an independent mind and the opportunity to achieve social change.”[[146]](https://www.thefire.org/defying-the-constitution-the-rise-persistence-and-prevalence-of-campus-speech-codes/" \l "_ftn147" \o "_ftnref147) Speech codes by and large prevent this process from taking place. The end result, then, is that the goals of debate and improvement are defeated, overtaken by “intellectual stagnation.”[[147]](https://www.thefire.org/defying-the-constitution-the-rise-persistence-and-prevalence-of-campus-speech-codes/" \l "_ftn148" \o "_ftnref148)

Outweighs: A. It’s a question of how discourse can even start in the first place – the only way it can happen is if there’s a free forum to discuss issues, even if certain views are reprehensible B. implies that you’d definitionally affirm – an intrinsic feature of not restricting speech is that you’d allow for free discourse, which perfectly fits the AC framework.

2. Censorship fails to create a true culture shift that the aff creates – I uniquely cultivate one in educational spaces. **Majeed 2**:[[18]](#footnote-18)

As discussed in the previous section, speech codes are often overbroad or vague or both. They typically fail to provide students with adequate notice of the categories of speech that are prohibited and the forms that remain permissible. Students must necessarily guess as to the scope of the speech code, and additionally, an administrator attempting to enforce the speech code in a particular case must arbitrate the imprecise language and uncertain reach of the code. Under these circumstances, “[m]embers of the university community may well err on the side of caution to avoid being charged with a violation.”[[130]](https://www.thefire.org/defying-the-constitution-the-rise-persistence-and-prevalence-of-campus-speech-codes/" \l "_ftn131" \o "_ftnref131) Some potential speakers may even refrain from speaking out altogether, as they become “so fearful of offending any person or group that they will effectively exercise self-censorship.”[[131]](https://www.thefire.org/defying-the-constitution-the-rise-persistence-and-prevalence-of-campus-speech-codes/" \l "_ftn132" \o "_ftnref132) This chilling effect prevents many crucial forms of discussion and debate from taking place, detracting from the university campus’s function as a true marketplace of ideas. Such chilling of expression is fundamentally impermissible under First Amendment law.[[132]](https://www.thefire.org/defying-the-constitution-the-rise-persistence-and-prevalence-of-campus-speech-codes/" \l "_ftn133" \o "_ftnref133)

A. Implies that identifying one problematic form of speech is insufficient to disprove my claim – they don’t truly impact this larger cultural mindset B. Outweighs on scope – even if the neg indicates the aff diminishes discussion in the short run, the absence of codes in the long run ensures that people can at least equitably participate in dialogue.

3. Constitutionally protected speech on universities uniquely solves. **FIRE**:[[19]](#footnote-19)

The essentiality of freedom in the community of American universities is almost self-evident. No one should underestimate the vital role in a democracy that is played by those who guide and train our youth. To impose any strait jacket upon the intellectual leaders in our colleges and universities would imperil the future of our Nation… Teachers and students must always remain free to inquire, to study and to evaluate, to gain new maturity and understanding; otherwise our civilization will stagnate and die. Keyishian v. Board of Regents, State Univ. of N.Y., 385 U.S. 589 (1967) In Keyishian, the Court declared unconstitutional New York statutes and administrative rules designed to prevent employment of “subversive” teachers and professors in state educational institutions and to dismiss them if found guilty of “treasonable or seditious” acts. The Board of Regents of New York had prepared a list of subversive organizations, including the Communist Party, and determined that membership in these organizations was sufficient reason for a teacher’s disqualification. The Court held that the proscription of “treasonable or seditious” conduct and of “advocacy” of violent overthrow was unconstitutional for vagueness: A teacher could not foretell whether statements about abstract doctrine were prohibited, or whether only speech intended to incite action was grounds for dismissal. The Court observed: Our Nation is deeply committed to safeguarding academic freedom, which is of transcendent value to all of us and not merely to the teachers concerned. That freedom is therefore a special concern of the First Amendment, which does not tolerate laws that cast a pall of orthodoxy over the classroom. Healy v. James, 408 U.S. 169, 180 (1972) Central Connecticut State College’s president had denied official status to a left-wing student group associated with violence on other campuses. The president said the group’s philosophy was “antithetical to the school’s policies,” its independence from the national organization was “doubtful,” and it “would be a disruptive influence at the college.” Without official status, the group could not announce its activities in the campus newspaper, post notices on college bulletin boards or use campus facilities for meetings. In this decision, the Court first affirmed public college students’ First Amendment rights of free speech and association, saying those constitutional protections apply with the same force on a state university campus as in the larger community. The Court stated: [T]he precedents of this Court leave no room for the view that, because of the acknowledged need for order, First Amendment protections should apply with less force on college campuses than in the community at large. Quite to the contrary, “the vigilant protection of constitutional freedoms is nowhere more vital than in the community of American schools.”

Even if certain speech is contentious, the aff is still a necessary first step that will ensure that people can at least have productive dialogue in the first place.

# Add-Ons

## ROB – Harrigan

The role of the ballot and judge is to **endorse the intrinsic value of agonistic discourse** –bringing about the conditions for agonism is necessary to understand justification for practices to solve oppression. **Harrigan**:

Casey, Associate Director of Debate at UGA, Master’s in Communications – Wake Forest U., “A Defense of Switch Side Debate”, Master’s thesis at Wake Forest, Department of Communication, May, pp.43-45

The Relevance Of Argumentation For Advancing Tolerant Politics Cannot Be Underestimated. The **willingness to be open to alternative views has** a material **impact on difference** in at least two primary ways. First, the **rendering of a certain belief as “off limits” from debate** and the prohibition of ideas from the realm of contestation **is** conceptually **indistinct from** the **physical exclusion of people** from societal practices. Unlike racial or gendered concerns, certain groups of people (the religious, minority political parties, etc.) are defined almost exclusively by the arguments that they adhere to. To deem these views unspeakable or irrelevant is to functionally deny whole groups of people access to public deliberation. Second, **argument**, as individual advocacy, **is an expression of belief**. It has the potential to persuade members of the public **to** either **support** **or oppose progressive politics. Belief itself is** **an** accurate **indicator of the way individuals will** chose to **act**—with very real implications for openness, diversity and accommodation. Thus, **as a precursor to action, argument is** an **essential** starting point for campaigns of tolerance. Argumentative pluralism can be defined as the proper tolerance for the expression of a diversity of ideas (Scriven 1975, p. 694). Contrary to monism, pluralism holds that there are many potential beliefs in the world and that each person has the ability to determine for himself or herself that these beliefs may hold true. Referring back to the opening examples, a pluralist would respect the right for the KKK to hold certain beliefs, even if he or she may find the group offensive. **In the argumentative context,** pluralism requires that participants to a debate or discussion recognize the right of others to express their beliefs, no matter how objectionable they may be. **The key** here **is expression**: although certain beliefs may be more “true” than others in the epistemic sense, **each should have equal access** (at least initially) **to forums of deliberation**. It is important to distinguish pluralism from its commonly confused, but only loosely connected, counterpart, relativism. To respect the right of others to hold different beliefs does not require that they are all considered equal. Such tolerance ends at the intellectual level of each individual being able to hold their own belief. Indeed, as Muir writes, “It [pluralism] implies neither tolerance of actions based on those beliefs nor respecting the content of the beliefs” (288). Thus, while a pluralist may acknowledge the right for the Klan to hold exclusionary views, he or she need not endorse racism or anti-Semitism itself, or the right to exclude itself. Even when limited to such a narrow realm of diversity, argumentative pluralism holds great promise for a politics based on understanding and accommodation that runs contrary to the dominant forces of economic, political, and social exclusion. Pluralism requires that **individuals** acknowledge opposingbeliefs and arguments by forcing an understanding thatpersonalconvictions are not universal.

This means conditions of agonism come prior to ends-based evaluation of my advocacy, since we have to recognize people as moral agents prior to acting on that fact. To clarify, this doesn’t entail absolute equality, but rather only when certain people face obstacles to recognition, or when society deems them ungrievable, that my framework is violated.

# Theory Frontlines

## Generic

1. The framework takes it out – there are always conflicting rules, i.e. conflicting interps, that posit that this is how you should debate. My standard says that these differing conceptions of truth are inevitable and that no one conception should be accepted, implying that your interp shouldn’t just be accepted.

2. Role of the ballot takes out – frames how this debate should even happen in the first place

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4. Chantal Mouffe, Professor at the Department of Political Science of the Institute for Advanced Studies. June 2000. “The Democratic Paradox” [↑](#footnote-ref-4)
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14. Chantal Mouffe, Professor at the Department of Political Science of the Institute for Advanced Studies. June 2000. “The Democratic Paradox” [↑](#footnote-ref-14)
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